

Minutes

STATE BOARD OF EDUCATION MEETING

WEDNESDAY, MARCH 8, 2006

TIME: 9:30 a.m.

RUTLEDGE STATE OFFICE BUILDING

BASEMENT CONFERENCE ROOM

COLUMBIA, SOUTH CAROLINA

Joe Isaac, Chair

John Tindal, Chair-Elect

Inez M. Tenenbaum

State Superintendent of Education

Secretary and Administrative Officer to the Board

I. WELCOME/PLEDGE OF ALLEGIANCE

The meeting was brought to order by Chair Isaac at 9:30 a.m. Chair Isaac asked the audience to stand for the Pledge of Allegiance.

The following State Board members were in attendance: Joe Isaac, Chair; John Tindal, Chair-Elect; Ms. Rebecca Burch; Mr. Jessie Curtis; Mr. Trip DuBard; Mr. Mike Forrester; Mrs. Kristin Maguire; Mr. Charles McKinney; Mr. Ben Mitchell; Mrs. Patsy Pye; Mrs. Terrye Seckinger; Mr. Phillip Shoopman; Mr. Al Simpson; Ms. Diane Sumpter; Mr. Ron Wilson; Ms. Virginia Wilson; and Dr. Kristi Woodall. State Superintendent Inez Tenenbaum and staff of the State Department of Education were present.

II. RECOGNITION OF NEW BOARD MEMBER(S) AND RETIRING BOARD MEMBERS

Chair Isaac introduced the new Board members: Mrs. Patsy Pye of Summerville, First Judicial Circuit, replacing Dr. Anne Crook, and Mr. Al Simpson of Lancaster, Sixth Judicial Circuit, replacing Mrs. Brenda Fort.

Chair Isaac recognized retiring Board member Mrs. Brenda Fort, Sixth Judicial Circuit, who was unable to attend.

Chair Isaac recognized Dr. Anne Crook, First Judicial Circuit, and presented her with a plaque for her service on the State Board. He thanked her on behalf of the Board and the citizens of South Carolina. Dr. Crook expressed how much she enjoyed her term and thanked the Board for the gift. Commenting that the Board is on the verge of some exciting years, Dr. Crook noted

the passage of the Education Economic Development Act and urged members to do whatever is necessary to ensure its implementation. Additionally, she commented on her work with the South Carolina High School Redesign Commission and asked members to review carefully Superintendent Tenenbaum's forthcoming recommendations, which are integral to moving our high schools forward. Dr. Crook stated that it was a good thing she was not voting today; she prayed for members to keep their faith in the house and their science in the classroom and to reject the Education Oversight Committee's changes.

II. RECOGNITION OF AD HOC STUDENT ADVISORY BOARD

The Chair recognized and introduced the students on the Ad Hoc Student Advisory Board attending their first Board meeting: Ms. Cecelia McCoy, C.A. Johnson Preparatory Academy, Richland One (Ms. McCoy's Board member is Ms. Diane Sumpter); Mr. Jacob Anderson, Broome High School, Spartanburg Three (Mr. Anderson's Board member is Mr. Mike Forrester); Mr. David Oberst, Georgetown High School, Georgetown School District (Mr. Oberst's Board member is Mr. Joe Isaac); and Mr. Keith Davis, Calhoun County High School, Calhoun School District (Mr. Davis's Board member is Dr. Anne Crook). Ms. Brook Smith, Manning High School, Clarendon School District Two, is also a member of the Board but was unable to attend this meeting because of tests being given in school (Ms. Smith's Board member is Mr. John Tindal).

III. APPROVAL OF STATE BOARD OF EDUCATION MINUTES OF FEBRUARY 8, 2006

Mr. Ron Wilson moved for approval of the minutes of the February 8, 2006, State Board meeting. Mr. Jessie Curtis seconded the motion. The motion carried.

IV. APPROVAL OF STATE BOARD OF EDUCATION AGENDA FOR MARCH 8, 2006

Ms. Rebecca Burch moved for the approval of the agenda for the March 8, 2006, State Board meeting. Ms. Virginia Wilson seconded the motion. The motion carried.

V. RECOGNITION OF VISITORS, INCLUDING NEWS MEDIA

Chair Isaac welcomed all visitors and asked them to stand and be recognized. The following people represented the news media: Mr. Bill Robinson, *The State*; Mr. John Drake, *Associated Press*; Ms. Deborah Hirsh, *Charlotte Observer*; and Mr. Chris Dixon, *Charleston Post and Courier*.

VI. STATE SUPERINTENDENT OF EDUCATION REPORT

Milken National Educator Awards

Superintendent Tenenbaum reported that the Milken National Educator Awards were dubbed the "Oscars of Teaching" by *Teacher Magazine*. The Awards were created in 1985 to reward, retain, and attract top professionals to the nation's schools. A total of 100 unsuspecting educators across the country were surprised last fall with the news of their \$25,000 awards

during an emotional, school-wide assembly. Superintendent Tenenbaum was honored to be among those recognizing the two South Carolina Educators who are now a part of this elite group. The 2006–07 South Carolina Milken educators are Mary Nell Anthony and Daryl Brown.

Superintendent Tenenbaum presented a plaque to Mary Nell Anthony from T. L. Hanna High School in Anderson School District Five. Ms. Anthony maintains rigorous standards and holds students accountable for their work. She incorporates other subjects into lessons that are interesting and thought provoking and frequently conducts after-school study sessions. She has created a student Web site that features study guides and supplemental support for struggling readers and writers. In addition, she conducts seminars at the local college, leads in-service workshops, pilots programs, and mentors student teachers.

Superintendent Tenenbaum presented a plaque to Mr. Daryl Brown from Carvers Bay High School in Georgetown County. Mr. Brown was charged with the task of combining two rival high schools. He so successfully managed the consolidation that the biggest challenge was selecting the school colors. He forcefully asserted that Carvers Bay would become a Blue Ribbon school—a prediction that was met with a rousing ovation from students and staff. The school has made impressive gains on test scores, added Advanced Placement classes, and started an ROTC program considered one of the best in the area. Mr. Brown created a Freshman Academy to ease the transition from middle school and began an initiative to provide breakfast for all of his students, making Carvers Bay one of the few high schools with such a program.

VII. PRESENTATIONS/ANNOUNCEMENTS

America Supports You

Mr. Mark Bounds, Director, Office of School Leadership, Division of Educator Quality and Leadership, presented to Mrs. Inez Tenenbaum, State Superintendent of Education, a framed United States flag. Mrs. Tenenbaum accepted on behalf of the State Department of Education. The flag was presented to the State Department of Education for outstanding support to men and women deployed in Operation Iraqi Freedom. The flag was proudly flown by the 16th EACCS on the E-8C Joint STARS Aircraft over the skies of Iraq during Operation Iraqi Freedom on December 18, 2005. This mission provides crucial command and control support for U.S. and coalition forces.

VIII. PUBLIC COMMENT PERIOD

Before allowing public comments Chair Isaac suggested that the Board extend the time for public comment from 30 minutes to 45 minutes and make the maximum comment period for three minutes instead of five. Chair Isaac asked if there were any objection from the Board members; there were none.

There were 11 public speakers for this meeting. The following people spoke regarding the High School Biology Academic Standards: Representative Robert Walker; Representative Ronnie Townsend on behalf of Representative Dan Cooper; Senator Mike Fair; Bob Cook, Esquire, Office of Attorney General; Dr. Jerry Waldvogel, Associate Professor, Clemson University; Linda Mobley, Richland Northeast High School; Valerie Waites, Lexington School District One; Jacob Herman, Student, College of Charleston; Jeff Campers, Professor of Biology; Joe Pollock, Furman University; and Tamara Kirshtein.

IX. PUBLIC HEARING

The public hearing was brought to order by Chair Isaac. The following regulation was presented to the Board for promulgation.

Promulgate Amendments to 24 S.C. Code Ann. Regs 43-262.4, End-of-Course Tests (Supp. 2005) (Second Reading)—Theresa Siskind, Director, Office of Assessment, Division of Curriculum Services and Assessment

There was one public speaker for this item. Mr. John Robinson with the South Carolina Alliance of Black School Educators spoke in support of the amendments.

Mrs. Kristin Maguire moved that the State Board of Education approve the promulgation of the amendments to 24 S.C. Code Ann. Regs. 43-262.4, End-of-Course Tests (Second Reading). The motion was seconded by Mr. John Tindal and approved by the Board.

X. STATE BOARD ITEMS

56. Teacher Recruitment, Training, and Certification (TRTC) Item(s)—Kristin Maguire, Facilitator

01. TRTC Item Overview

Janice Poda, Deputy Superintendent, Division of Educator Quality and Leadership, gave a brief overview of the information item.

For Information Only

02. Briefing on Teacher Working Conditions

Janice Poda, Deputy Superintendent, Division of Educator Quality and Leadership, presented this item as information and answered questions from the Board.

55. Curriculum and Instructional Materials (C&I) Item(s)—Kristi Woodall, EdD, Facilitator

01. C&I Items Overview

Lucinda Saylor, Deputy Superintendent, Division of Curriculum Services and Assessment, gave a brief overview of the items.

02. Request for a Waiver to Support the Implementation of the Gateway to College Program in the School Districts of Anderson, Oconee, and Pickens Counties

Lucinda Saylor, Deputy Superintendent, Division of Curriculum Services and Assessment, presented this item for approval. This item will require only one reading.

This item is to request a waiver of State Board of Education Regulation 43-234(G)(4) and 43-259(D)(3) relating to dual credit so that the Anderson, Oconee, and Pickens counties' school districts and Tri-County Technical College may implement the Gateway to College dropout retrieval program. This waiver is requested pursuant to State Board of Education Regulation 43-261(C) that permits the Board to waive any regulation that would impede the implementation of an approved district strategic plan or school renewal plan. Immediate approval of the waiver is needed in order to support initial student enrollment in the fall of 2006. The waiver is also requested for a time period of up to five years. The Department of Education recommends approval of a waiver to R 43-234(G)(4) and R 43-259(D)(3) relating to dual credit to enable all types of courses offered by Tri-County Technical College in the Gateway to College program to be awarded dual credit.

Mr. Mike Forrester moved for the approval of the request for a waiver to support the implementation of the Gateway to College Program in the School Districts of Anderson, Oconee, and Pickens Counties. Mr. Charles McKinney seconded the motion. The motion carried.

03. Recommendation for Appointments to the 2006 Instructional Materials Review Panels

Kriss Stewart, Division of Curriculum Services and Assessment, presented this item for approval.

The State Board of Education on December 14, 2005, approved subject areas to be opened for the 2006 adoption. Instructional Materials Review Panels have been created for the subject areas and nominees and alternates selected according to State Board regulations. The recommendations for appointment of members to serve on the Review Panels are now being submitted for approval. Approval of the Review Panel members will allow the materials bid for the 2006 adoption cycle to be evaluated and Panel recommendations to be submitted to the State Board of Education in December 2006. The State Department of Education recommended approval of the recommendations for Instructional Materials Review Panel members.

Ms. Rebecca Burch moved for the approval of the recommendation for appointments to the 2006 Instructional Materials Review Panels. Ms. Diane Sumpter seconded the motion. The motion carried.

04. Report of Review Panel Recommendation for Instructional Materials Requested by School District

Kriss Stewart, Division of Curriculum Services and Assessment, presented this item for approval.

The Review Panel recommendation for the adoption of instructional materials that have been requested by a school district was submitted to the Board for approval. The State Department of Education recommends approval of the Instructional Materials Review Panel Report.

Mr. John Tindal moved for the approval of the report of the Review Panel recommendation for instructional materials requested by school districts. Ms. Rebecca Burch seconded the motion. The motion carried.

05. Review of the Instructional Materials Review Panel's Recommendation Regarding the Adoption of Glencoe/McGraw-Hill's *Human Sexuality*

Kriss Stewart, Division of Curriculum Services and Assessment, presented this item for approval.

The Instructional Materials Review Panel, at the request of the State Board of Education, once again evaluated two pages in Glencoe/McGraw-Hill's *Human Sexuality* to determine if there was a conflict with the Comprehensive Health Act. The Review Panel reviewed the two pages of *Human Sexuality* and determined that the text is in compliance with the Comprehensive Health Education Act.

Mr. Phillip Shoopman moved to approve the ancillary workbook minus pages 93 and 94. Mrs. Terrye Seckinger seconded the motion. Mrs. Terrye Seckinger requested a roll call vote.

The following members voted to approve the Ancillary workbook minus pages 93 and 94: (1) Mr. Jessie Curtis, (2) Mrs. Kristin Maguire, (3) Mr. Charles McKinney, (4) Mr. Ben Mitchell, (5) Mrs. Terrye Seckinger; (6) Mr. Phillip Shoopman, (7) Mr. Ron Wilson, (8) Mr. Al Simpson, and (9) Mrs. Kristi Woodall.

The following members voted against the motion: (1) Mrs. Rebecca Burch, (2) Mr. Trip DuBard, (3) Mr. Mike Forrester, (4) Ms. Diane Sumpter, (5) Mrs. Virginia Wilson; (6) Mr. John Tindal, and (7) Mrs. Patsy Pye.

The motion carried with a vote of 9 for and 7 against.

For Information Only

06. Approval of 4K Waiver Requests for 2005–06 pursuant to 24 S.C. Code Ann. Regs. 43-264.1(VI)(B)(Supp. 2005), Half-Day Child Development Programs

Robin K. Snipes, Director, Office of Early Childhood Education (OECE), Division of District and Community Services, presented this item and answered questions from the Board. This report is to provide the Board with information about the 4K waiver approvals by the State Department of Education.

Regulation 43-264.1, Half-Day Child Development Programs, requires that a minimum of 10 percent of the total budget shall be utilized in supplies, materials, and equipment for 4K classrooms. The following nine school districts requested waivers to enable the district to supplement salaries of teachers and assistants in the 4K program: (1) Anderson School District Two, (2), Anderson School District Five, (3) Charleston County Schools, (4) Chester County Schools, (5) Darlington County Schools, (6) Laurens School District 55, (7) Laurens School District 56, (8) Spartanburg School District One, and (9) Spartanburg School District Four. Based on the findings after visits to the districts, the OECE staff granted the waivers.

54. Finance and Legislative (F&L) Item(s)—Phillip Shoopman, Facilitator

01. F&L Items Overview

John Cooley, Deputy Superintendent, Division of Finance and Operations, gave a brief overview of the items.

For Information Only

02. State Board of Education Financial Statements

John Cooley, Deputy Superintendent, Division of Finance and Operations, presented this item and answered questions from the Board.

03. Legislative Update

Dale Stuckey, Chief Counsel, Office of General Counsel, presented the legislative update on behalf of Pierce McNair and answered questions from the Board. A summary of the bills of interest in the General Assembly was distributed to the Board.

52. Educational Policy (Policy) Item(s)—Joe Isaac, Facilitator

01. Educational Policy Overview

Dale Stuckey, Esquire, Chief Counsel, Office of General Counsel, gave a brief overview of the items.

02. High School Biology Academic Standards

Lucinda Saylor, Deputy Superintendent, Division of Curriculum Services and Assessment presented this item for approval.

This item was to review the action taken by the Education Oversight Committee (EOC) regarding the revised High School Biology Academic Standards. The EOC voted at its meeting on February 13, 2006, not to approve four indicators—5.2, 5.4, 5.5, and 5.7—under High School Biology Standard B-5 and recommended that the State Board of Education consider alternative wording to

Standard B-5. The recommended wording for Standard B-5 is underlined as follows:

The student will demonstrate an understanding of biological evolution and the diversity of life by using data from a variety of scientific sources to investigate and critically analyze aspects of evolutionary theory.

The State Department of Education recommended that the State Board of Education not accept the EOC's amendment to High School Biology Standard B-5 or the proposed new wording for Standard B-5.

Dr. Kristi Woodall moved to accept the recommendation from the State Department of Education to not accept the EOC's amendment to High School Biology Standard B-5 or the proposed new wording for B-5. Mr. John Tindal seconded the motion. Mrs. Terrye Seckinger requested a roll call vote.

Members voting not to accept the EOC's amendment to High School Biology Standard B-5 or the proposed new wording for B-5 were as follows: (1) Mr. John Tindal, (2) Ms. Rebecca Burch, (3) Mr. Trip DuBard, (4) Mr. Ben Mitchell, (5) Ms. Diane Sumpter, (6) Ms. Virginia Wilson, (7) Mrs. Kristi Woodall, (8) Mr. Al Simpson, (9) Mrs. Patsy Pye, and (10) Mr. Mike Forrester.

Mr. Joe Isaac, Chair, requested his vote be recorded in favor of the motion to not accept the EOC's amendment to High School Biology Standard B-5 or the proposed new wording for B-5.

The following members voted to accept the EOC's amendment to High School Biology Standard B-5 and the proposed new wording for B-5: (1) Mrs. Kristin Maguire, (2) Mr. Charles McKinney, (3) Mr. Jessie Curtis, (4) Mrs. Terrye Seckinger, (5) Mr. Phillip Shoopman, and (6) Mr. Ron Wilson.

The motion carried with a vote of 11 to 6.

03. House and Senate Requests Regarding State Board of Education Regulations (if needed)

Dale C. Stuckey, Esquire, Chief Counsel, Office of General Counsel, presented this item.

The State Board of Education received a request from the House Education and Public Works Committee to withdraw, amend, and resubmit Regulation 43-168, Document No. 3027, Nutrition Standards for Elementary (K–5) School Food Service Meals and Competitive Foods. The committee requested that section II(A)(1) and section II(B)(3) be amended as follows:

- II(A)(1) Ensure that one serving of snacks sweets, and side dishes has no more than 30 percent of calories from fat, less than 10 percent calories from saturated fat, ~~as low intake of trans fatty acid as possible~~ no more than 1 percent of calories from trans fatty acid, and no more than 35 percent of added sugar by weight.
- II(B)(3) Not sell beverages—except water or nonfat, low fat, or reduced-fat milk—in portions larger than 12 ounces.

Mrs. Kristin Maguire moved for the approval of the request from the House Education and Public Works Committee to withdraw, amend, and resubmit Regulation 43-168, Doc. No. 3027, with the changes. Mr. Mike Forrester seconded the motion. The motion carried.

04. Executive Session

Dale C. Stuckey, Esquire, Chief Counsel, Office of General Counsel, presented this item.

A request from the Charleston County School District to grant a Waiver of Requirements for Participation in Interscholastic Activities for a student. The State Department of Education recommends that the State Board approve the request for a waiver of the requirements to participate in an interscholastic activity for the student from Wando High School.

Mrs. Kristin Maguire moved for the approval of the request from Wando High School, Charleston County School District, to grant a waiver of requirements so that a student may participate in an interscholastic activity. Mrs. Terrye Seckinger seconded the motion. The motion carried.

XI. OTHER BUSINESS

There was no other business for discussion.

XII. EXECUTIVE SESSION

Educator Licensure Cases

LUNCH

EXECUTIVE SESSION (cont'd.)

Educator Licensure Cases

Educator Licensure Cases

The State Board of Education (Board) held a meeting at 1:00 p.m., Wednesday, March 8, 2006, in the Basement Conference Room of the Rutledge State Office Building to discuss educator licensure cases. The following Board members were in attendance: Joe Isaac, Chair; John Tindall, Chair-Elect; Mr. Fred DuBard; Mrs. Rebecca Burch; Mrs. Patsy Pye; Mr. Jessie Curtis; Mr. Al Simpson; Mr. Mike Forrester; Mr. Ron Wilson; Mr. Ben Mitchell; Mrs. Kristin Maguire; Mr. Charles McKinney; Mrs. Terrye Seckinger; Mr. Phillip Shoopman; Ms. Diane Sumpter; Ms. Virginia Wilson; and Dr. Kristi Woodall.

The meeting was brought to order by Chair-Elect Tindal

Chair Tindal declared the Board in Executive Session

Open Session

1. Mrs. Kristin Maguire moved that the State Board of Education summarily suspend South Carolina educator certificate 182327 issued to Wendie A. Schweikert, for unprofessional conduct. The motion was seconded by Mr. Phillip Shoopman and approved by the Board.
2. Mrs. Kristin Maguire moved that the State Board of Education accept the voluntary surrender of South Carolina educator certificate 194562 issued to Sheila Ballard, for unprofessional conduct. The motion was seconded by Mrs. Terrye Seckinger and approved by the Board.
3. Mrs. Kristin Maguire moved that the State Board of Education order the indefinite suspension of South Carolina educator certificate 182773 issued to Nadine Reeder Edney, for National Board Loan Default. The motion was seconded by Mr. Ben Mitchell and approved by the Board.
4. Mrs. Kristin Maguire moved that the State Board of Education order the indefinite suspension of South Carolina educator certificate 188637 issued to Gwendolyn S. Lockett, for National Board Loan Default. The motion was seconded by Mr. Ben Mitchell and approved by the Board.
5. Mrs. Kristin Maguire moved that the State Board of Education order a three-year suspension of South Carolina educator certificate 111917, with a character fitness review at the end of the three-year period, issued to Eleanor Kirkland, for unprofessional conduct. The motion was seconded by Mr. Phillip Shoopman and approved by the Board.
6. Mrs. Kristin Maguire moved that the State Board of Education order a one-year suspension of South Carolina educator certificate 224087 issued to Victor Shelton, for breach of contract. The motion was seconded by Mrs. Terrye Seckinger and approved by the Board.

7. Mrs. Kristin Maguire moved that the State Board of Education issue a public reprimand to Frank Lanford, South Carolina educator certificate 102408, for unprofessional conduct. The motion was seconded by Mr. Mike Forrester and approved by the Board.

Chair Tindal declared the Board in Executive Session

Open Session

8. Mrs. Terrye Seckinger moved that the State Board of Education deny a South Carolina educator certificate to Dawn M. Anderson. The motion was seconded by Mr. Mike Forrester and approved by the Board.

Chair Tindal declared the Board in Executive Session

Open Session

9. Mrs. Terrye Seckinger moved that the State Board of Education deny a South Carolina Educator certificate to Frederick La Shawn Graves. The motion was seconded by Mr. Joe Isaac and approved by the Board.

Chair Tindal declared the Board in Executive Session

Open Session

- 10 Mrs. Terrye Seckinger moved that the State Board of Education deny a South Carolina Educator certificate to Lisa Deanna Jones-Carter. The motion was seconded by Mr. Al Simpson and approved by the Board.

XIII. ADJOURNMENT

There being no further business, the Board adjourned at 2:30 p.m.